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# Beautyrock Inc.

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December 3, 2004

by e-mail & mail

Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Attention: Michael K. Powell, Chairman

Dear Mr. Powell:

Re: Use of Prerecorded Messages  
-NO ABANDON SYSTEM!!

02278

RECEIVED

FEB 10 2005

Federal Communications Commission  
Office of the Secretary

This comment is to validate Beautyrock Inc.'s use of a prerecorded message when using a predictive dialer to NOT ABANDON ANYONE - for any reason! This NO ABANDON system never hangs up on anyone, never leaves dead air - never offends any consumer, does not scare seniors or young ladies.

The system is proven over the past two years. It works! - It not only meets the spirit of telemarketing legislation to not inconvenience consumers; it also significantly improves predictive dialer productivity by as much as 20% which is the very purpose of predictive dialer technology. Beautyrock has made millions of calls using this system with negligible negative comments - indeed consumers thank us for not hearing dead air and for identifying ourselves immediately.

The recorded message is only used when live answers exceed the immediate availability of a live telephone sales representative. A live telephone sales representative is connected live to the consumer within an average of eleven seconds. We never hang up on anyone and the "3% Safe Harbour" is not needed and not used.

The prerecorded message is truthful, up-front, not deceptive or offensive in any way. It states: "This is XYZ company calling. I am on another line. Please wait a few seconds."

Consumers do wait for us and we deliver our sales message for a Yes/No decision by the consumer. Very few consumers hang up on us and if they don't wait we set our dialer to call again at a later time.

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Significantly, the system works when "cold-calling" as well as calling established business relationship consumers. There is no difference in customer acceptance between calling new potential customers or old established customers.

There is no attempt to use the recorded message in this system to sell or announce anything else other than - "This is XYZ company calling. I'm on another line. Please wait a few seconds." This is very similar to inbound messaging which asks people to wait for the next available agent. It serves exactly the same purpose of maximizing efficiency of the computerized telephone system to give the consumer the best possible service in the best, most efficient way.

Beautyrock Inc.'s request to the FTC/FCC is that other prerecorded message rules and the two second live connection rule do not apply to this very specific use of prerecorded messages.

The A.T.A. supports our position and the DMA is reviewing its position on this subject. We are more than hopeful that the DMA understands our request and will be supporting our position too in its submission to the FTC/FCC.

Beautyrock Inc. is an outbound telemarketing service bureau calling U.S. consumers from its offices in Canada. We have been in business over 20 years. We are very professional and very aware of consumers attitudes. Telemarketing works for our clients, for Beautyrock Inc. and for consumers. Likewise the NO ABANDON system works and I think it would be a huge mistake if the FTC/FCC precludes the use of this "best way" innovation to not abandon anyone and to provide consumers and our clients maximum efficiency without offending anyone.

Our clients include Scholastic Books (Grolier), H.C.I. (Silkies), Doubleday Book Clubs and Columbia Music and Video Clubs.

So in the spirit of one of the DMA's slogans "To Do The Right Thing", Beautyrock respectfully requests your close attention to this factual information.

Respectfully Yours

A handwritten signature in black ink that reads "Stan Body". The signature is written in a cursive, flowing style.

Stan Body  
President